IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sprint Docket 2482
MBHB Case No. 03-730

PATENT

In the Application of:	)	
	)	
John C.W. Ngan	)	Group Art Unit - 2617
	)	
Serial No.: 10/666,373	)	Examiner Manoharan
	)	
Filed: September 18, 2003	)	
	)	
For: SIGNAL STRENGTH-BASED CALL FORWARDING FOR WIRELESS PHONES	)	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDED APPEAL BRIEF

Dear Sir:

This is the amended Appeal Brief is submitted pursuant 37 C.F.R. § 41.37, and is filed in response to the Notice mailed October 28, 2008. This amended brief includes a reference to cancelled claims 8 and 13-17 in the Status of Claims section of the brief, thereby correcting the deficiency stated in the Notice of October 28, 2008.

Please apply the previously paid appeal brief fee ($ 500, paper mailed September 6, 2006) to this appeal brief. Application of the previously paid appeal brief fee is proper in view of the reopening of prosecution in the paper mailed January 3, 2007. Please charge the additional appeal brief fee that is due per the most recent PTO fee schedule ($ 40) to the deposit account of record (210765). Please charge any other required fee or any deficiency in the above fees to deposit account 210765.

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I. Real Party in Interest

The real party in interest is Sprint Spectrum L.P., to which this invention is assigned. Sprint Spectrum L.P. is a wholly owned subsidiary of Sprint-Nextel Corporation.

II. Related Appeals and Interferences

Applicant is not aware of any related appeals, interferences, or judicial proceedings.

III. Status of Claims

Claims 1-7 and 9-12 stand rejected. Claims 1-7 and 9-12 are appealed. Claims 8 and 13-17 are cancelled.

IV. Status of Amendments

No amendments were filed subsequent to the rejection mailed May 29, 2008.

V. Summary of Claimed Subject Matter

This invention relates generally to wireless telephony and in particular to a call forwarding feature for wireless telephones (Figure 1, mobile stations 12) that is triggered when the received signal strength at the wireless telephone falls below a threshold level, indicating that the wireless telephone is moving out of service coverage. Abstract, Summary at p.8 lines 3-16, page 10 lines 6-16. A feature code is sent from the telephone to the network to trigger call forwarding. Page 10 lines 10-13; page 14 lines 12-15. When the telephone moves back into service coverage and the received signal strength rises above a threshold level, a second feature code is transmitted to deactivate call forwarding. See *id.*, Examples 1-3, page 18 lines 16- page 20 line 4.

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As recited in claim 1, the triggering of call forwarding, and cessation of call forwarding, involves the use of feature codes. To better understand the meaning of the term "feature codes", some explanation is helpful.

In a telephone system, a subscriber's profile may indicate how the service provider should handle or respond to attempts to connect telephone calls to or from a given subscriber. For example, the subscriber's profile may indicate that the subscriber is not allowed to place calls to certain area codes, and so the service provider may block any attempt by the subscriber to place calls to those area codes. As another example, the subscriber's profile may indicate that some or all calls to the subscriber should be forwarded to another number or to voice mail under certain conditions, and so the service provider may accordingly forward an incoming call under those conditions. See page 3 line 10 to page 5 line 14.

To allow subscribers to configure services in their service profiles, the industry has for many years employed a concept known as "feature codes." A service provider may define specific digit sequences for use in activating, deactivating or modifying particular service features. Each sequence is known as a feature code (or, equivalently, a feature code string). A feature code usually consists of a preceding asterisk (*) or double asterisk (**) followed by a series of numeric digits (0 through 9), but could take other forms as well. Further, a pound sign (#) is sometimes used to delimit particular sequences of digits. For instance, the feature code string

*72 4085550303#

could mean that a call forwarding forward-to number is being registered. In this example, *72 may indicate that the call-forwarding feature is being accessed, and the digit sequence 4085550303 may indicate the forward-to number. Page 5 lines 15-page 6 line 3.

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When a subscriber sends a feature code to a serving system, the serving system may respond to the feature code by employing logic to change (i.e., activate, deactivate or modify) a service feature in a local copy of the subscriber's profile. Alternatively or additionally, the serving system may forward the dialled digits to a central controller, and the central controller may then respond to the feature code by activating, deactivating or modifying a service feature in the subscriber's profile and then sending a response message to the serving system. Page 4 lines 4-9.

Claim 1 involves the use of feature codes to trigger call forwarding depending on the received signal strength measured on a mobile station. Page 22 lines 4-12. Communications between the mobile station and a base transceiver station (BTS) in a cellular network will typically suffer from varying levels of interference and signal degradation, due to factors such as (i) the number and power level of mobile stations concurrently communicating over the air interface, (ii) obstructions such as buildings, land or foliage, and (iii) the distance between the mobile station and the BTS. Consequently, the strength of RF signals that the mobile station receives from the BTS can vary. Furthermore, the strength of RF signals that the BTS receives from the mobile station can vary. Page 6 lines 10-16.

In the prior art, when a mobile station is actively engaged in a call, if the RF signal strength received by the mobile station and/or BTS becomes too low, the RF link will be effectively cut off, which will thereby disconnect or "drop" the call. Page 6 lines 17-19. This situation is prevented in this invention by activating call forwarding using feature codes when the RF signal strength falls below a threshold, and then turning off call forwarding using a second feature code when signal strength rises above a threshold level. Summary, page 8 lines 3-16.

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Thus, claim 1 recites a method of activating call forwarding for a mobile station (Figure 1, item 12, Abstract, Summary at page 8) comprising the steps of:

monitoring a measure of received signal strength at said mobile station the received signal strength being of a signal transmitted between a base transceiver station of a cellular wireless telephone network and the mobile station (page 10 lines 6-10; page 14 lines 5-15);

automatically transmitting a first feature code from said mobile station to a wireless network when said monitored measure of received signal strength falls below a threshold level (page 10 lines 10-13; page 14 lines 12-15), said first feature code activating call forwarding for said mobile station such that incoming calls are directed to a previously programmed directory number (page 14 lines 12-15, Examples 1-3 at page 18 line 16 to page 20 line 4);

continuing to monitor signal strength of a signal transmitted between the base transceiver station and the mobile station at said mobile station during a period when call forwarding is activated; (page 17 lines 15-20) and

automatically transmitting a second feature code from said mobile station to a wireless network when said signal strength rises above said threshold level, said second feature code deactivating said call forwarding. (page 17 lines 20 – page 18 line 12, Example 1 page 18 line 16 - page 19 line 5.)

Independent claim 11 is directed to wireless telephone (Figure 1, item 12). The wireless telephone includes circuitry monitoring a measure of received signal strength from a wireless base transceiver station. (Page 18 lines 4-5, page 14 lines 5-11.)

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The telephone further includes programmable logic providing instructions for automatically transmitting a first feature code from said wireless telephone to a wireless network activating call forwarding when said circuitry determines that the received signal strength of a signal transmitted between the base transceiver station and the mobile station falls below a threshold level. Page 18 lines 5-8, page 14 lines 5-15, Example 1 page 18 lines 16-page 19 line 5.

The telephone further includes programmable logic providing instructions for automatically continuing to monitor the received signal strength from a base transceiver station of a cellular wireless telephone network after the first feature code is transmitted and for transmitting a second feature code from said wireless telephone to a wireless network deactivating call forwarding when said circuitry determines that the received signal strength, having previously fallen below a threshold level, rises above said threshold level. See page 18 lines 8-14, page 17 lines 15-20; Example 1 at page 18 lines 16-page 19 line 5.

VI. Grounds of Rejection to be Reviewed on Appeal

There are five separate grounds of rejection set forth in the final office action that are to be reviewed on appeal. They are:

1. Rejection of claims 1, 4-5 and 11 as obvious (35 U.S.C. § 103(a)) over Lencevicius et al. (U.S. 2004/0204183) in view of Akhteruzzaman et al. (U.S. 6,584,316).

2. Rejection of claims 2, 3, 7 and 10 as obvious (35 U.S.C. § 103) over Lencevicius in view of Akhteruzzaman, and further in view of Lundborg (U.S. 6,782,262).

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3. Rejection of Claim 6 as obvious (35 U.S.C. § 103) over Lencevicius in view of Akhteruzzaman, and further in view of Lo (RE 37,301).

4. Rejection of Claim 9 as obvious (35 U.S.C. § 103) over Lencevicius in view of Akhteruzzaman, and further in view of Chawla (6,496,700).

5. Rejection of Claim 12 as obvious (35 U.S.C. § 103) over Lencevicius in view of Akhteruzzaman, and further in view of Haub (US 2004/0152429).

VII. Argument

Summary

All of the rejections are improper and should be reversed because the prior art does not teach or suggest automatically transmitting a second feature code from a mobile station to a wireless network when the received signal strength at the wireless station rises above a threshold level, the second feature code deactivating call forwarding, as claimed in each independent claim.

1. The Examiner Erred in Rejecting Claims 1, 4-5, 11 as Being Obvious over a Combination of Lencevicius in view of Akhteruzzaman

Claim 1 recites: A method of activating call forwarding for a mobile station, comprising the steps of:

monitoring a measure of received signal strength at said mobile station, the measure of received signal strength being of a signal transmitted between a base transceiver station of a cellular wireless telephone network and the mobile station;

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automatically transmitting a first feature code from said mobile station to a wireless network when said monitored measure of received signal strength falls below a threshold level, said first feature code activating call forwarding for said mobile station such that incoming calls are directed to a separate device associated with a previously programmed directory number;

continuing to monitor signal strength of a signal transmitted between the base transceiver station and the mobile station at said mobile station during a period when call forwarding is activated; and

automatically transmitting a second feature code from said mobile station to a wireless network when said signal strength rises above said threshold level, said second feature code deactivating said call forwarding.

Thus, claim 1 is directed to activating and de-activating call forwarding for a mobile station using feature codes transmitted by a mobile station to a wireless network, the feature codes triggered when the received signal strength falls below and rises above a threshold level. The prior art does not teach or suggest automatically transmitting a second feature code from a mobile station to a wireless network when the received signal strength at the wireless station rises above a threshold level, the second feature code deactivating call forwarding, as claimed in claim 1. Accordingly, the rejection should be reversed.

Lencevicius

Basically, Lencevicius describes a method of sending all incoming calls to voice mail (or only some incoming calls to voicemail) and transmission of outgoing messages that is triggered when a signal is received to initiate a *power management mode* and is triggered off when the power management mode is disabled. Conceptually, the Lencevicius method is based on preservation of battery power levels. Further, the calls are not forwarded to a previous programmed directory number, as in claim 1, but rather merely to voice mail. Additionally, the reference does not describe automatically transmitting a second feature code to the network to

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deactivate call forwarding when the received signal strength rises above the threshold. These differences between Lencevicius and claim 1 are discussed in more detail below.

A. transmitting feature code to activate call forwarding

Claim 1 requires "automatically transmitting a first feature code from said mobile station to a wireless network when said monitored measure of received signal strength falls below a threshold level, said first feature code activating call forwarding for said mobile station such that incoming calls are directed to a separate device associated with a previously programmed directory number ." This is not what is disclosed in Lencevicius.

Lencevicius is concerned with power management on a wireless device—maximizing the usefulness of the device in view of limited battery capacities in such devices and the ever-increasing functionality such devices have. See Background, paragraphs 2-5, 16. Lencevicius therefore provides for a method and system for managing power consumption on the device, either in response to user input of a signal or automatically when the battery level drops off a certain amount. Summary, paragraphs 6, 16 and 24. Lencevicius describes several ways of managing power, including deferring the ability of the device to receive incoming calls. See paragraphs 6, 20, 25, 28. The triggering event, receipt of a power management initiation signal, may be due to a manual action by the user or automatically in response to decrease in the battery level (see paragraph 24). Call forwarding to voice mail is not triggered in response to a received signal level dropping below a threshold, as claimed in claim 1.

The Examiner cites to paragraphs 38 and 39 for the subject matter of monitoring received signal strength. While paragraph 38 discloses monitoring signal strength, the purpose of the monitoring is to *trigger the transmission of outgoing messages*, not limit the ability to receive

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incoming calls. See Figure 7 and paragraph 35-39. It is clear that the discussion of Figure 7 in paragraph 38 is referring to the method of deferring transmission of outgoing messages as described in paragraphs 35-37, not deferring receipt of incoming messages. Thus, while paragraph 38 discloses monitoring signal strength, the purpose and use is different from claim 1. Claim 1 recites "automatically transmitting a first feature code from said mobile station to a wireless network when said monitored measure of received signal strength falls below a threshold level, said first feature code activating call forwarding for said mobile station such that incoming calls are directed to a previously programmed directory number." Lencevicius teaches monitoring signal strength and then sending outgoing messages if the signal strength is high enough, considering the power level that the outgoing transmission will require, which is not what is claimed in claim 1.

The difference between the invention and Lencevicius is significant. There can be times where a cell phone is partially or fully charged and yet signal strength is too weak to receive a call. In this case, the present invention will trigger the call forwarding. In Lencevicius, no such forwarding will occur. Rather, transmission of outgoing calls is prevented because the transmission will consume too much battery power (see paragraphs 36-39). The user will not activate the power management feature with a full battery, and with a full battery the automatic power management will not be initiated either. The user in this situation will have their calls forwarded in accordance with this invention, but Lencevicius calls will not be forwarded.

B. incoming calls are directed to a previously programmed directory number

Claim 1 requires that feature code, issued in response to signal strength falling below a threshold, is such that incoming calls are directed to a previously programmed directory number

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i.e., a second number different from the phone number of the phone itself, such as an office phone or a home land line phone number. For example, if a user's cell phone has a low received signal strength, the calls will be forwarded to their home number or office number. In Lencevicius, the call is merely sent to the user's voice mail, which is not a separate directory number. See paragraph 28 (" . . . mobile terminated calls and SMS messages are directed to the voicemail or SMS server storage." . . . Basically the mobile device behaves like the device has been turned off . . . ").

C. Automatically transmitting a second feature code to the network to deactivate call forwarding when the signal strength rises above the threshold.

Claim 1 further recites that method includes steps of continuing to monitor signal strength at the mobile station during a period when call forwarding is activated and automatically transmitting a second feature code from the mobile station to a wireless network when the signal strength rises above the threshold level, the second feature code deactivating said call forwarding. This feature is not disclosed in Lencevicius.

For this element of the claim, the Examiner cites to paragraphs 30 and 38-39. Paragraph 30 discusses a selective call acceptance feature in which, while the power management system is on, certain parties can still get through and place a call to the phone. Paragraph 30 states that when the power management profile is disabled, then a USSD message is sent to deactivate call forwarding. Thus, the trigger for turning off call forwarding is deactivation of the power management profile feature (presumably manually or automatically when the battery is recharged), *not* received signal strength increasing above a threshold level as claimed in claim 1.

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Paragraphs 38 and 39 are describing received signal strength in order to determine whether to permit transmitting outgoing messages. They do not describe that once a call forwarding feature code is sent, the reference continues to monitor signal strength to turn off call forwarding.

Akhteruzzaman

The call forwarding method of Akhteruzzaman teaches away from the invention of claim 1 in terms of how a mobile device returns to normal service (end of call forwarding). Akhteruzzaman works in a very different way from Lencevicius, and uses GPS location as the trigger to return to normal mode. In particular, if there is a weak signal and the user has previously indicated that call forwarding should occur if the signal strength becomes weak, the method obtains a current GPS location of the mobile station. A computer program then proceeds to look up a land line telephone directory number stored in the mobile station's memory associated with the mobile station's GPS location. If there is no directory number for the current location, the process is complete and no call forwarding is accomplished. Only if there is a directory number for the GPS location of the mobile station will call forwarding proceed. See Figure 8, steps 194 and 196, and the text at column 8, lines 46-67.

In Akhteruzzaman, after call forwarding has been triggered, the mobile device continues to monitor ***its GPS location (not received signal strength)*** and only after the device has left a predetermined GPS boundary will the device send a disabling signal to revert to normal operation.

Applicant further notes that the method of Akhteruzzaman is rather onerous and cumbersome. His method requires the subscriber to manually enter specific call forwarding numbers for particular GPS locations where signal strength is weak and determine

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(programmatically, apparently) appropriate GPS boundaries for the location. (Col. 5 lines 65-67; col. 8 lines 65-67). Additionally, the approach has limited usefulness, since it is dependent on a land line telephone being present nearby. What if no landline phone is nearby? What if the person does not know in advance whether a particular location has a weak signal? What if the subscriber underestimates the size of the boundary at which a "restore normal operation" signal is sent to the network? Akhteruzzaman has no answers for these situations. Conversely, the present invention:

- does not require usage of GPS or positioning information for the device,
- does not require a land-line phone to be nearby,
- does not require a user to have to know in advance whether a particular zone has cell coverage or not,
- is not dependent on the charge state of the battery, and
- does not require any additional power management system, as in Lencevicius.

Call forwarding is triggered and un-triggered by monitoring signal strength, and does not require continuous monitoring of the location of the device.

Combining the teachings of Lencevicius with Akhteruzzaman in the context of call forwarding is problematic at best since the two references take completely different approaches. Lencevicius defers incoming calls based on the power management profile (related to battery level and preserving power of the device), and does not monitor received signal strength from the base transceiver station for purposes of call forwarding either before call forwarding is initiated or during a period of call forwarding. Rather, Lencevicius teaches monitoring received signal as a way of determining transmit power required for outgoing messages and then will hold

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up on transmitting outgoing messages if the power consumption it will involve is too high (paragraphs 38 and 39). Akhteruzzaman's approach to call forwarding bears no relationship to this method. Rather, Akhteruzzaman uses GPS-based call forwarding, and requires knowledge of the position of the device. Akhteruzzaman does not use monitoring of received signal strength either before or during a period of call forwarding.

Hence, at most, combining the two references would suggest using Akhteruzzaman's approach as an alternative to the power management technique of Lencevicius, or perhaps using the Lencevicius power management approach for call forwarding as an adjunct to the Akhteruzzaman GPS approach. The combined teachings do not suggest deactivating call forwarding based on received signal strength rising above a threshold. The combined references do not suggest an approach entirely based on received signal strength both before and during the period of call forwarding.

Accordingly, the applicants submit that the invention of claim 1 would not have been obvious in view of the two references.

Claim 11

As to claim 11, this claim is directed to a wireless telephone that includes, among other things:

"programmable logic providing instructions for automatically continuing to monitor the received signal strength from a base transceiver station of a cellular wireless telephone network after the first feature code is transmitted and for transmitting a second feature code from said wireless telephone to a wireless network deactivating call forwarding when said circuitry determines that the received signal strength, having previously fallen below a threshold level, rises above said threshold level.."

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The above remarks apply equally well to claim 11. The combination of Lencevicius in view of Akhteruzzaman fails to disclose or render obvious programmable logic in a wireless telephone that transmits a second feature code when the received signal strength rises above the threshold level.

2. The Examiner Erred in Rejecting claims 2, 3, 7 and 10 as obvious under 35 U.S.C. § 103 over Lencevicius in view of Akhteruzzaman and further in view of Lundborg

As to the rejection of claims 2, 3, 7, 10 as obvious over Lencevicius in view of Akhteruzzaman, and further in view of Lundborg, it is noted that Claims 2, 3 and 7 and 10 depend from claim 1. Assuming for the sake of argument that the Examiner's comments vis-à-vis Lundborg are accurate for these claims, Lundborg does not make up for the deficiency in the other three references in failing to teach the subject matter of claim 1.

In particular, Lundborg is concerned with handoff of mobile devices between cells. Lundborg does not address call forwarding, nor does the reference teach or suggest that call forwarding, having been switched on, should be switched off in accordance with the teachings of claim 1 discussed above. Combining Lundborg with Lencevicius and Akhteruzzaman suggests using Ec/Io measurements in the context of sending outgoing communications from the phone to the network as mentioned in Figure 7 and paragraph 38 of Lencevicius, or perhaps as a technique for handoff between cells. The combined references do not suggest monitoring signal strength as the trigger to initiate the call forwarding or, once call forwarding has been triggered, to send a new feature code to turn off call forwarding. Accordingly, they cannot render claims 2, 3, 7 and 10 obvious.

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3. The Examiner Erred in Rejecting Claim 6 as obvious under 35 U.S.C. § 103 over Lencevicius in view of Akhteruzzaman and further in view of Lo

Claim 6 is rejected as obvious in view of Lencevicius in view of Akhteruzzaman, and further in view of Lo (RE 37,301). Claim 6 depends from claim 1 and includes all the features thereof. Claim 6 further and recites that the feature code is sent to the wireless network over an access channel.

Assuming for the sake of argument that Lo's "information code" is a feature code, it does not teach or suggest sending an information code pertaining to switching on or off call forwarding. The Lo reference is directed to a multiple access protocol used in a setup channel and using a feedback mechanism (col. 3 lines 47-59; Abstract). Accordingly, Lo does not add any pertinent teaching that overcomes the deficiency of the primary references in failing to teach the subject matter of claim 1.

4. The Examiner Erred in Rejecting Claim 9 as obvious under 35 U.S.C. § 103 over Lencevicius in view of Akhteruzzaman, further in view of Chawla

Claim 9 stands rejected as obvious over Lencevicius in view of Akhteruzzaman, further in view of Chawla (6,496,700). Claim 9 depends from claim 1 and further recites that the threshold level is within a certain decibel range.

Assuming for the sake of argument that Chawla is appropriate for citation of the subject matter of claim 9, it does not make up for the deficiency of Lencevicius in view of

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Akhteruzzaman in failing to teach or suggest the subject matter of claim 1, from which claim 9 depends. In particular, Chawla is directed to methods for determining organizational parameters in a wireless system and discloses methods of determining signal strength and losses in wireless communications systems. Chawla is silent on a call forwarding feature, let alone call forwarding as claimed in claim 1. Even if Chawla was combined with Lencevicius or Akhteruzzaman, at most it teaches characterization of organization parameters in a wireless system such as the Akhteruzzaman system but that fails to account for a method by which call forwarding should be terminated, by means of feature codes, as claimed in claim 1. Accordingly, the rejection of claim 9 should be reversed.

5. The Examiner Erred in Rejecting Claim 12 as obvious under 35 U.S.C. § 103 over Lencevicius in view of Akhteruzzaman, further in view of Haub.

Claim 12 depends from the wireless telephone independent claim 11, and stands rejected as obvious over Lencevicius in view of Akhteruzzaman, further in view of Haub (2004/015429). Haub is cited for a teaching of circuitry monitoring a ratio of Ec/Io where Ec is a measure of carrier strength and Io is a measure of interference.

Haub's teaching does not overcome the deficiency of Lencevicius and Akhteruzzaman in failing to teach or suggest the feature of claim 11 of a wireless telephone that includes logic "automatically continuing to monitor the received signal strength after the first feature code is transmitted ***and for transmitting a second feature code . . . deactivating call forwarding when said circuitry determines that the received signal strength, having fallen previously below a threshold level, rises above said threshold level.***" As noted above, Akhteruzzaman monitors GPS location, not signal strength, after the first signal is sent to the network to activate call

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forwarding (assuming that a subscriber has entered a land line telephone number that is in the same geographic proximity to where signal is lost). Therefore, Akhteruzzaman's wireless telephone does not work in the manner claimed in claim 11.

Haub's teaching, if applied to Lencevicius, would suggest at most one method to determine location or to select an initial mode of transmission, and is irrelevant to Lencevicius since that references uses a power management initiation signal, not signal strength measurements, to initially activate call forwarding. Haub does not suggest continuing to monitor Ec/Io after a call forwarding signal has been sent and deactivating call forwarding in the event Ec/Io rises above the threshold. Haub's teaching is irrelevant to Lencevicius since that reference uses a power management initiation signal, not signal strength measurements, to initially activate call forwarding. Haub is also irrelevant to Akhteruzzaman since that references uses ***GPS data,*** not signal strength measurements, to deactivate call forwarding. Haub does not suggest continuing to monitor Ec/Io after a call forwarding signal has been sent and deactivating call forwarding in the event Ec/Io rises above the threshold.

Consequently, even if Haub were to be combined with Lencevicius and Akhteruzzaman, claim 12 is not obvious thereover. The rejection should be reversed.

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Conclusion

Applicant has demonstrated that the rejections are in error as a matter of law. Applicant therefore requests reversal of the rejections and allowance of all pending claims in this application.

Respectfully submitted,

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Date: Nov. 5, 2008

By: Thomas A. Fairhall

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CLAIMS APPENDIX

1. (previously presented) A method of activating call forwarding for a mobile station, comprising the steps of :

monitoring a measure of received signal strength at said mobile station, the measure of received signal strength being of a signal transmitted between a base transceiver station of a cellular wireless telephone network and the mobile station;

automatically transmitting a first feature code from said mobile station to a wireless network when said monitored measure of received signal strength falls below a threshold level, said first feature code activating call forwarding for said mobile station such that incoming calls are directed to a separate device associated with a previously programmed directory number;

continuing to monitor signal strength of a signal transmitted between the base transceiver station and the mobile station at said mobile station during a period when call forwarding is activated; and

automatically transmitting a second feature code from said mobile station to a wireless network when said signal strength rises above said threshold level, said second feature code deactivating said call forwarding.

2. (original) The method of claim 1, wherein said step of monitoring a measure of received signal strength comprises the step of monitoring the ratio E_c/I_o, wherein E_c is a measure of carrier strength and I_o is a measure of interference.

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3. (previously presented) The method of claim 1, wherein said step of monitoring a measure of received signal strength comprises the step of monitoring a signal to noise ratio of a received signal from a base transceiver station in the cellular wireless telephone network.

4. (original) The method of claim 1, wherein said mobile station comprises a cellular telephone.

5. (original) The method of claim 1, wherein the previously programmed directory number is changeable by a user of said mobile station by interactively entering said directory number.

6. (original) The method of claim 1, wherein said feature code is sent to said wireless network over an access channel.

7. (original) The method of claim 1, wherein the threshold level is determined by an element in said wireless network and transmitted to said mobile station.

8. Cancelled

9. (original) The method of claim 1, wherein the threshold level lies in the range of –85dB to-90 dB.

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10. (original) The method of claim 1, wherein the first feature code is transmitted if the monitored measure of received signal strength remains below the threshold level for a predetermined period of time.

11. (previously presented) A wireless telephone comprising:

circuitry monitoring a measure of received signal strength from a base transceiver station of a cellular wireless telephone network;

programmable logic providing instructions for automatically transmitting a first feature code from said wireless telephone to a wireless network activating call forwarding when said circuitry determines that the received signal strength of a signal transmitted between the base transceiver station and the mobile station falls below a threshold level; and

programmable logic providing instructions for automatically continuing to monitor the received signal strength from a base transceiver station of a cellular wireless telephone network after the first feature code is transmitted and for transmitting a second feature code from said wireless telephone to a wireless network deactivating call forwarding when said circuitry determines that the received signal strength, having previously fallen below a threshold level, rises above said threshold level.

12. (original) The wireless telephone of claim 11, wherein said wireless telephone operates in a CDMA network and wherein said circuitry monitors the ratio E_c/I_o, wherein E_c is a measure of carrier strength and I_o is a measure of interference.

13-17. Cancelled

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EVIDENCE APPENDIX

No evidence is submitted by the applicant.

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RELATED PROCEEDINGS APPENDIX

The applicant is not aware of related proceedings.

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